

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Ethan Edwards, Associate Planner
DATE: November 18, 2009

SUBJECT: CONDITIONAL USE PERMIT NO. 2009-012 (NEWLAND CARWASH-
CONTINUED FROM THE OCTOBER 14, 2009, MEETING)

LOCATION: 8471 Warner Avenue, 92647 (northwest corner of Warner Avenue and
Newland Street)

Applicant: Thomas Hwang, 616 Imperial, LLC, 1050 E. Anaheim Street, Long Beach,
CA 90813

Property Owner: 616 Imperial, LLC, 1050 E. Anaheim Street, Long Beach, CA 90813

Request: To permit the construction of an approximately 2,200 sq. ft. express service
carwash building and associated site improvements, on a 22,363 sq. ft.
vacant lot.

Environmental Status: This request is covered by Categorical Exemption, Section 15303,
Class 3, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CG – F1 (Commercial General – 0.35 maximum floor area ratio)

Existing Use: Vacant

RECOMMENDATION: Staff recommends approval of the proposed project based upon
the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the proposed project consists of the construction of a new commercial building with less than 10,000 square feet of floor area not involving significant amounts of hazardous substances on a site where public services and facilities are available and the surrounding area is not environmentally sensitive.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2009-012:

1. Conditional Use Permit No. 2009-012 to permit the redevelopment of a former gas station site with the construction of an approximately 2,336 sq. ft. express carwash building and associated site improvements will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project will not significantly impact adjoining residential properties located to the north and west of the site. The carwash building will be sited furthest away from residential uses at the southeast corner of the property. The residential uses to the west will be buffered from the carwash by an approximately 65 ft. separation consisting of a drive aisle, parking lot landscaping, 12 ft. high noise attenuating screen canopy, 10 ft. wide landscape planter, and a 6 ft. high block wall. Residential uses to the north will be buffered from the carwash by a drive aisle and a 5 ft. setback with landscaping. Noise will be attenuated through operational requirements and onsite improvements which include limited operating hours, a perimeter block wall and appropriate building orientation. Additionally, noise emitting mechanical equipment will be enclosed within the building and oriented away from residential properties. Furthermore, the use will be subject to compliance with the City of Huntington Beach Noise Ordinance (Chapter 8.40 Noise Control) and based upon the conditions imposed, potential noise impacts will be mitigated. Lighting will be designed to be directed onto the project site without any spillage on to adjacent properties. The project is on a site of a former auto-related use; consequently no significant traffic impacts are anticipated. The project will provide adequate on-site parking and will not present unsafe conditions for pedestrians or vehicular circulation.
2. The conditional use permit will be compatible with surrounding developments because the carwash building will be located on commercially zoned property, formerly occupied by a gas station, in an area containing similar auto-related land uses. The building's architecture is consistent with the surrounding neighborhood by providing appropriate scale through a single story design and appropriate proportion and character through variable façade offsets and harmonious colors and materials. The proposed development, as conditioned, conforms to the design criteria as stipulated within the City's Urban Design Guidelines by siting the building at the street corner, accommodating anticipated circulation patterns between vehicles and pedestrians, improving the driveways to current standards, and minimizing the visibility of mechanical equipment within the carwash tunnel openings.
3. The development will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, including minimum building setbacks, minimum on-site parking and minimum onsite landscaping, maximum building height and maximum floor area ratio. The proposed car wash use is permitted within the CG (General Commercial) zoning district with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation CG-F1 (General Commercial – 0.35 maximum floor area ratio) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Objective - LU 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents.

Policy - LU 10.1.4: Require that commercial buildings and sites be designed to achieve a high level of architectural and site layout quality.

Policy - LU 10.1.6: Require the commercial projects abutting residential properties adequately protect the residential use from the excessive or incompatible impacts of noise, light, vehicular traffic, visual character, and operational hazards.

Policy - LU 10.1.12: Require that commercial uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development including consideration of:

- a. Incorporation of site landscape, particularly along street frontages and in parking lots;
- d. Siting of building to the street frontage to convey a visual relationship to the street and sidewalks;
- e. Architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations.

The project is a redevelopment of a former gas station site with a new express carwash facility. The proposed use will redevelop a currently vacant site with a facility that caters to the needs of local residents. The project will not significantly impact the adjoining residential property to the north and west of the site. The carwash building will be sited furthest away from residential uses. The residential uses to the west will be buffered from the carwash by an approximately 65 ft. separation consisting of a drive aisle, parking lot landscaping, 12 ft. high noise attenuating screen canopy, 10 ft. wide landscape planter, and a 6 ft. high block wall. Residential uses to the north will be buffered from the carwash by a drive aisle and a 5 ft. setback with landscaping. The mechanical equipment associated with the carwash will be located inside the building; in addition, the building is oriented so that the carwash tunnel openings do not directly face adjacent residential uses. Lighting will be designed to be directed onto the project site without any spillage on to adjacent properties.

Land Use Element

Objective - UD 1.1: Identify and reinforce a distinctive architectural and environmental image for each district in Huntington Beach.

Policy - UD 1.2.1.E: Enhance the connections, where feasible between the public sidewalk and private commercial interior open spaces as described by the Land Use Element by using decorative paving materials.

The proposed design of the carwash building will incorporate distinctive architecture which includes variations to the roof height and form, insets and offsets in the building façade to create enhanced visual relief and break up of building mass, and variations in exterior building treatments. The project will incorporate a connection from the public sidewalk on Warner Avenue and Newland Street by providing clear and identifiable access to the carwash building.

Land Use Element

Objective - N 1.2.3: Require development, in all areas where the ambient noise level exceeds an Ldn of 60 dB(A), to conduct an acoustical analysis and incorporate special design measures in their construction, thereby, reducing interior noise levels to the 45 dB(a) Ldn level.

Objective - N 1.4.3: Require that the parking areas of all commercial and industrial land uses, which abut residential areas, to be buffered and shielded by walls, fences, or adequate landscaping.

A noise study prepared by Giroux & Associates on November 6, 2009 identifies that noise levels will not cumulatively contribute to an increase in levels above established thresholds. Noise will be attenuated through operational requirements and onsite improvements which include limiting the hours of operation, and providing for a perimeter block wall and appropriate building orientation. Additionally, noise emitting mechanical equipment will be enclosed within the building and oriented away from residential properties.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2009-012:

1. The site plan, floor plans, and elevations received and dated September 9, 2009 shall be the conceptually approved design with the following modifications:
 - a. Landscaped setbacks along both street frontages shall incorporate mounding, shrubbery and vertical elements to enhance the aesthetics of the site and provide for additional screening at the openings to the carwash tunnel and interior mechanical equipment. Provide a revised site plan that depicts the proposed landscaping and screening elements to be reviewed and approved by the City's Arborist and Planning Department.
 - b. The Recovery and Collection Hydro-Carbons area located at the northwest corner of the site shall provide screening to match the adjacent trash enclosure. All screening enclosures shall be compatible and provide materials found in the carwash building. Provide a revised site plan that depicts the screening detail to be reviewed and approved by the Planning Department.
2. All existing overhead utilities located along the Newland Street and Warner Avenue frontage shall be undergrounded. This shall include all utilities, including but not limited to telephone, electric, and Cable TV lines. If required, easements shall be quitclaimed and/or granted to the corresponding utility companies. **(PW)**
3. The use shall comply with the following:
 - a. The car wash facility shall not be operational from 8 p.m. to 7 a.m.
 - b. The car wash dryer units shall be equipped with a silencer.
 - c. Paging and music system speakers located or being activated outside of the building shall be prohibited.

- d. Customers shall be cautioned against the creation of unacceptably loud noise during waiting and within the vacuum/wipe off areas by signage posted near this area. Customer noise clearly audible beyond the property line (5 dB or more above ambient) shall be eliminated immediately by staff intervention.
4. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney’s fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.